

1 UNITED STATES DISTRICT COURT
2 FOR THE NORTHERN DISTRICT OF CALIFORNIA

3 **INSTRUCTIONS FOR PRISONER'S
4 IN FORMA PAUPERIS APPLICATION**

5 You must submit to the court a completed Prisoner's In Forma Pauperis Application if
6 you are unable to pay the entire filing fee at the time you file your complaint or petition. Your
7 application must include copies of the prisoner trust account statement showing transactions
8 for the last six months and a certificate of funds in prisoner's account, signed by an authorized
9 officer of the institution.

10 **A. Non-habeas Civil Actions**

11 Effective April 9, 2006, the filing fee for any civil action other than a habeas is
12 \$350.00. Even if you are granted leave to proceed in forma pauperis, you must still pay the
13 full amount of the court's filing fee, but the fee will be paid in several installments. 28 U.S.C.
14 § 1915.

15 You must pay an initial partial filing fee of 20 percent of the greater of (a) the average
16 monthly deposits to your account for the 6-month period immediately before the complaint
17 was filed or (b) the average monthly balance in your account for the 6-month period
18 immediately before the complaint was filed. The court will use the information provided on
19 the certificate of funds and the trust account statement to determine the filing fee immediately
20 due and will send instructions to you and the prison trust account office for payment if in
21 forma pauperis status is granted.

22 After the initial partial filing fee is paid, your prison's trust account office will forward
23 to the court each month 20 percent of the most recent month's income to your prison trust
24 account, to the extent the account balance exceeds ten dollars (\$10.00). Monthly payments
25 will be required until the full filing fee is paid. If you have no funds over ten dollars (\$10.00)
26 in your account, you will not be required to pay part of the filing fee that month.

27 If your application to proceed in forma pauperis is granted, you will be liable for
28 the full \$350.00 filing fee even if your civil action is dismissed. That means the court will
continue to collect payments until the entire filing fee is paid. However, if you do not
submit this completed application the action will be dismissed without prejudice and the
filing fee will not be collected.

B. Habeas Actions

The filing fee for a habeas action is \$5.00. If you are granted leave to proceed in
forma pauperis you will not be required to pay any portion of this fee. If you are not granted
leave to proceed in forma pauperis you must pay the fee in one payment and not in
installments. If you use a habeas form to file a non-habeas civil action, you will be
required to pay the \$350.00 filing fee applicable to all non-habeas civil actions.

FILED

08 JUN -2 PM 1:43

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

QUILLIE L. HARVEY JR.

Plaintiff,

vs.

M.S. EVANS

Defendant.

CASE NO.

CV. 08-249/CRB(PR)

**PRISONER'S
APPLICATION TO PROCEED
IN FORMA PAUPERIS**

I, QUILLIE HARVEY, declare, under penalty of perjury that I am the plaintiff in the above entitled case and that the information I offer throughout this application is true and correct. I offer this application in support of my request to proceed without being required to prepay the full amount of fees, costs or give security. I state that because of my poverty I am unable to pay the costs of this action or give security, and that I believe that I am entitled to relief.

In support of this application, I provide the following information:

1. Are you presently employed? Yes ☐ No ☒

If your answer is "yes," state both your gross and net salary or wages per month, and give the name and address of your employer:

Gross: _____ Net: _____

Employer: _____

1 If the answer is "no," state the date of last employment and the amount of the gross and net
 2 salary and wages per month which you received. (If you are imprisoned, specify the last
 3 place of employment prior to imprisonment.)

4 1990 BURGER KING
 5 SAN DIEGO COUNTY (CAMP PEN.)
 6 _____

7 2. Have you received, within the past twelve (12) months, any money from any of the
 8 following sources:

- 9 a. Business, Profession or Yes ___ No ✓
 10 self employment
 11 b. Income from stocks, bonds, Yes ___ No ✓
 12 or royalties?
 13 c. Rent payments? Yes ___ No ✓
 14 d. Pensions, annuities, or Yes ___ No ✓
 15 life insurance payments?
 16 e. Federal or State welfare payments, Yes ___ No ___
 17 Social Security or other govern-
 18 ment source?

19 If the answer is "yes" to any of the above, describe each source of money and state the amount
 20 received from each.

21 _____
 22 _____

23 3. Are you married? Yes ___ No ✓

24 Spouse's Full Name: _____

25 Spouse's Place of Employment: _____

26 Spouse's Monthly Salary, Wages or Income:

27 Gross \$ _____ Net \$ _____

28 4. a. List amount you contribute to your spouse's support: \$ _____

1 b. List the persons other than your spouse who are dependent upon you for
 2 support and indicate how much you contribute toward their support. (NOTE:
 3 For minor children, list only their initials and ages. DO NOT INCLUDE
 4 THEIR NAMES.).

N/A No CHILDREN

7 5. Do you own or are you buying a home? Yes ___ No ☒

8 Estimated Market Value: \$ _____ Amount of Mortgage: \$ _____

9 6. Do you own an automobile? Yes ___ No ☒

10 Make _____ Year _____ Model _____

11 Is it financed? Yes ___ No ☒ If so, Total due: \$ _____

12 Monthly Payment: \$ _____

13 7. Do you have a bank account? Yes ___ No ☒ (Do not include account numbers.)

14 Name(s) and address(es) of bank: _____

15 _____

16 Present balance(s): \$ _____

17 Do you own any cash? Yes ___ No ☒ Amount: \$ _____

18 Do you have any other assets? (If "yes," provide a description of each asset and its estimated
 19 market value.) Yes ___ No ☒

20 _____

21 8. What are your monthly expenses?

22 Rent: \$ _____ Utilities: _____

23 Food: \$ _____ Clothing: _____

24 Charge Accounts:

25 Name of Account Monthly Payment Total Owed on This Acct.

26 _____ \$ _____ \$ _____

27 _____ \$ _____ \$ _____

28 _____ \$ _____ \$ _____

9. Do you have any other debts? (List current obligations, indicating amounts and to whom they are payable. Do not include account numbers.)

N/A

10. Does the complaint which you are seeking to file raise claims that have been presented in other lawsuits? Yes No

Please list the case name(s) and number(s) of the prior lawsuit(s), and the name of the court in which they were filed.

I BROUGHT THIS CLAIM IN THIS COURT BUT IT WAS DISMISS WITH
OUT PREJUDICE FOR NON EXHAUSTION. IVE NOW EXHAUSTED. (2-07-4434 CRB (PR))

I consent to prison officials withdrawing from my trust account and paying to the court the initial partial filing fee and all installment payments required by the court.

I declare under the penalty of perjury that the foregoing is true and correct and understand that a false statement herein may result in the dismissal of my claims.

5-20-08

DATE

SIGNATURE OF APPLICANT

Willie Harris

Case Number: _____

CERTIFICATE OF FUNDS
IN
PRISONER'S ACCOUNT

I certify that attached hereto is a true and correct copy of the prisoner's trust account statement showing transactions of _____ for the last six months
[prisoner name]
_____ where (s)he is confined.

[name of institution]
I further certify that the average deposits each month to this prisoner's account for the most recent 6-month period were \$ _____ and the average balance in the prisoner's account each month for the most recent 6-month period was \$ _____.

Dated: _____

[Authorized officer of the institution]

Case Number: _____

CERTIFICATE OF FUNDS

IN

PRISONER'S ACCOUNT

I certify that attached hereto is a true and correct copy of the prisoner's trust account statement showing transactions of #28104 Harvey, Quillie for the last six months

at SALINAS VALLEY STATE PRISON
ACCOUNTING DEPARTMENT
P.O. BOX 1020
SOLEDAD, CA 93960-1020

[prisoner name]

_____ where (s)he is confined.

[name of institution]

I further certify that the average deposits each month to this prisoner's account for the most recent 6-month period were \$ 14.17 and the average balance in the prisoner's account each month for the most recent 6-month period was \$ 25.49.

Dated: 5/30/08

L. Macias

[Authorized officer of the institution]

REPORT ID: TS3030 .701

REPORT DATE: 05/30/08

PAGE NO: 1

CALIFORNIA DEPARTMENT OF CORRECTIONS
SALINAS VALLEY STATE PRISON
INMATE TRUST ACCOUNTING SYSTEM
INMATE TRUST ACCOUNT STATEMENT

FOR THE PERIOD: NOV. 01, 2007 THRU MAY 30, 2008

ACCOUNT NUMBER : H28106

BED/CELL NUMBER: FCB1T100000010BL

ACCOUNT NAME : HARVEY, QUILLIE

ACCOUNT TYPE: I

PRIVILEGE GROUP: A

TRUST ACCOUNT ACTIVITY

DATE	TRAN CODE	DESCRIPTION	COMMENT	CHECK NUM	DEPOSITS	WITHDRAWALS	BALANCE
11/01/2007		BEGINNING BALANCE					0.00
11/07	FR01	CANTEEN RETUR	701272			51.89-	51.89
11/07	FC03	DRAW-FAC 3	1276 C5			29.52	22.37
11/08	W512	LEGAL POSTAGE	1296 LPOST			4.60	17.77
11/08	W515	COPY CHARGE	1301 COPY			0.36	17.41
11/15	W512	LEGAL POSTAGE	1347 LPOST			4.60	12.81
11/26	W516	LEGAL COPY CH	1422 LCOPY			7.10	5.71
11/27	W512	LEGAL POSTAGE	1432 LPOST			0.41	5.30
11/27	W512	LEGAL POSTAGE	1432 LPOST			5.30	0.00
12/10	FR01	CANTEEN RETUR	701518			29.52-	29.52
12/10	FC03	DRAW-FAC 3	1522 C5			27.40	2.12
12/10	W515	COPY CHARGE	1531 COPY			0.12	2.00
12/11	D300	CASH DEPOSIT	1545 7131		15.00		17.00
12/11	W212	FEDERAL FILIN	1554 NTH			3.00	14.00
12/12	W516	LEGAL COPY CH	1559 LCOPY			1.00	13.00
12/13	W516	LEGAL COPY CH	1569 LCOPY			1.60	11.40
12/13	W512	LEGAL POSTAGE	1575 ENVEL			0.80	10.60
12/18	W512	LEGAL POSTAGE	1607 LPOST			0.41	10.19
12/18	W512	LEGAL POSTAGE	1607 LPOST			4.60	5.59
12/18	W512	LEGAL POSTAGE	1607 LPOST			4.60	0.99
12/18	W512	LEGAL POSTAGE	1607 LPOST			0.41	0.58
12/20	W512	LEGAL POSTAGE	1633 ENVEL			0.58	0.00
ACTIVITY FOR 2008							
01/08	FR01	CANTEEN RETUR	701750			27.40-	27.40
01/08	FC03	DRAW-FAC 3	1754 C1			25.93	1.47
01/11	D300	CASH DEPOSIT	1805 7230		50.00		51.47
01/11	W212	FEDERAL FILIN	1811 NTH			10.00	41.47
01/11	W515	COPY CHARGE	1808 COPY			0.24	41.23
01/15	D300	CASH DEPOSIT	1834 7241		20.00		61.23
01/15	W212	FEDERAL FILIN	1847 NTH			4.00	57.23
01/16	W512	LEGAL POSTAGE	1859 LPOST			0.41	56.82
01/22	W512	LEGAL POSTAGE	1906 LPOST			0.41	56.41
01/25	W512	LEGAL POSTAGE	1963 LPOST			0.41	56.00
01/25	W512	LEGAL POSTAGE	1963 LPOST			0.41	55.59
01/28	W512	LEGAL POSTAGE	1973 ENVEL			0.80	54.79
02/01	W512	LEGAL POSTAGE	1996 LPOST			0.41	54.38
02/07	W512	LEGAL POSTAGE	2054 LPOST			4.60	49.78
02/07	W512	LEGAL POSTAGE	2054 LPOST			5.30	44.48
02/07	W515	COPY CHARGE	2057 COPY			0.36	44.12
02/08	FC03	DRAW-FAC 3	2088 C1			44.12	0.00
05/02	D310	CHECK DEPOSIT	2797 7660		20.00		20.00

REPORT ID: TS3030 .701

REPORT DATE: 05/30/08

PAGE NO: 2

SALINAS VALLEY STATE PRISON
INMATE TRUST ACCOUNT STATEMENT

FOR THE PERIOD: NOV. 01, 2007 THRU MAY 30, 2008

ACCT: H28106

ACCT NAME: HARVEY, QUILLIE

ACCT TYPE: I

CURRENT HOLDS IN EFFECT

DATE PLACED	HOLD CODE	DESCRIPTION	COMMENT	HOLD AMOUNT
02/22/2008	H110	COPIES HOLD	2189 COPY	0.12
03/19/2008	H110	COPIES HOLD	2437 COPY	0.12
04/15/2008	H110	COPIES HOLD	2659 COPY	0.48
05/02/2008	D310	CHECK DEPOSIT	2797 7660	20.00
05/09/2008	H109	LEGAL POSTAGE HOLD	2860 LPOST	2.67
05/09/2008	H109	LEGAL POSTAGE HOLD	2860 LPOST	2.84
05/13/2008	H110	COPIES HOLD	2897 COPY	0.24
05/13/2008	H109	LEGAL POSTAGE HOLD	2892 ENVEL	0.60
05/13/2008	H118	LEGAL COPIES HOLD	2892 LCOPY	20.70
05/16/2008	H109	LEGAL POSTAGE HOLD	2922 LPOST	4.80
05/16/2008	H118	LEGAL COPIES HOLD	2922 LCOPY	7.50
05/27/2008	H118	LEGAL COPIES HOLD	3014 LCOPY	1.10

TRUST ACCOUNT SUMMARY

BEGINNING BALANCE	TOTAL DEPOSITS	TOTAL WITHDRAWALS	CURRENT BALANCE	HOLDS BALANCE	TRANSACTIONS TO BE POSTED
0.00	105.00	85.00	20.00	61.17	0.00



THE WITHIN INSTRUMENT IS A CORRECT
COPY OF THE TRUST ACCOUNT MAINTAINED
BY THIS OFFICE. 5/30/08
ATTEST:

CALIFORNIA DEPARTMENT OF CORRECTIONS
BY X. macias SUSP
TRUST OFFICE

CURRENT
AVAILABLE
BALANCE

41.17-

WILLIE HARVEY H-28106
SAN JOSE VALLEY STATE PRISON
PO BOX 1056 C-1-108
Merced, CA 93760

2

BUSINESS REPLY MAIL

FIRST-CLASS MAIL PERMIT NO. 12615 WASHINGTON DC

POSTAGE WILL BE PAID BY UNITED STATES COURTS

US DISTRICT COURT
450 GOLDEN GATE AVE
PO BOX 36060
SAN FRANCISCO CA 94102-9680



NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES

